

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 09-41014

HAROLD E. STOKES, and
CHARLOTTE E. TODER-STOKES,

Chapter 13

Judge Thomas J. Tucker

Debtors.

CHARLOTTE E. TODER-STOKES,

Plaintiff,

v.

Adv. Pro. No. 09-4506

WELLS FARGO BANK ,

Defendant.

ORDER DISMISSING ADVERSARY PROCEEDING

On March 26, 2009, Debtor/Plaintiff Charlotte E. Stokes filed an adversary complaint against Wells Fargo Bank, initiating this adversary proceeding. On March 27, 2009, Debtors filed, in the main bankruptcy case (Case No. 09-41014), a “Notice of Withdrawal of Adversary Complaint and Summons” (Docket # 34 in Case No. 09-41014), “requesting to withdraw/dismiss Adversary [C]ase No. 09-4506,” because the Complaint filed in Case No. 09-4506 is a duplicate of a complaint filed on March 24, 2009, which initiated Adversary Proceeding 09-4483.

Although Debtors should have filed a Notice of Dismissal in Adv. Pro. No. 09-4506, if they wanted this adversary proceeding dismissed, their “Notice of Withdrawal of Adversary Complaint and Summons,” filed in the main bankruptcy case, shows there is cause to dismiss this adversary proceeding.

